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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,805	02/04/2004	Clay Fisher	Sony-05900	3337
36813 7590 04/26/2007 O'BANION & RITCHEY LLP/ SONY ELECTRONICS, INC. 400 CAPITOL MALL SUITE 1550 SACRAMENTO, CA 95814			EXAMINER DAYE, CHELCIE L	
			ART UNIT 2161	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/26/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/771,805

Applicant(s)

FISHER ET AL.

Examiner

Chelcie Daye

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 17-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is issued in response to applicant's amendment after final filed on February 16, 2007.
2. Claims 1-10 and 17-28 are presented. No claims added and no claims 11-16 remain cancelled.
3. Claims 1-10 and 17-28 are pending.

### ***Withdrawal of Finality***

Applicant's arguments of the finality of the rejection of the last Office Action are persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-10 and 17-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi (US Patent Application No. 20030063304) filed September 26, 2002, in view of Ohta (US Patent No. 7,188,224) filed August 28, 2003.**

Regarding Claims 1,10,17,18, and 24-28, Satomi discloses a method comprising: receiving a request corresponding to a specific content (i.e., "a button 2907 is a button for deleting an album. A button 2908 is a button for uploading image data. A button 2909 is a print order button. ([0203]) ...If it is determined in step S3105 that creation of a new album is not selected, it is checked in step S3107 whether deletion of an album is selected. If the button 2907 is pressed, it is determined that deletion of an album is selected, and the flow advances to step S3108. If the button 2907 is pressed, a window 3400 shown in FIG. 33 is displayed to allow the user to delete the selected album. (FIG. 33; [0219]) ... When the print order button 2909 on the window 2900 is pressed, the photosite 105 searches the album image data table 800 to acquire and image count N of the currently selected album in step S4801. ([0274]) ... In step S4805, the photosite 105 searches the album image data table 800 in the database 118 for a record whose image display number is I, and acquires the image ID 802 of the image. The photosite 105 also searches the image information data table 900 for a record with image information having the image ID 901. From the searched information data table 900, the photosite 105 acquires the file path 904 to the original image, ([0278])..." The preceding text excerpts clearly indicate that a user can request over the network (i.e., interact) to print, delete, upload etc. a specific image album or image in the photosite system (server). The photosite system based on the type of the request (e.g., delete, print etc.) searches/reviews/analyzes information in a database (e.g.,

album image data table i.e., information related to the specified image, album etc.) and selectively asks the user to confirm the request (e.g., a delete request to delete a specific album) and based on the users confirmation response, processes/performs the requested job (i.e., delete the image or image album etc.); reviewing a record associated with the specific content in response to the request (please see explanation above; [0116];[0274];[0278]); selectively transmitting a confirmation for the request based on the reviewing (please see explanation above; [0219]; Fig. 33); and performing the request in response to receiving the request and instruction from the user in responding to said confirmation (please see explanation above; [0203];[0219]). However, Satomi is silent with respect to duplicates of said specific content are retained across multiple devices configured for communicating with one another over a network and response to the request based on the presence of any duplicate or related content.

On the other hand, Ohta discloses duplicates of said specific content are retained across multiple devices configured for communicating with one another over a network (column 34, lines 58-64, Ohta) and response to the request based on the presence of any duplicate or related content (column 36, lines 7-29, Ohta). Satomi and Ohta are analogous art because they are from the same field of endeavor of data processing. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Ohta's teachings into the Satomi system. A skilled artisan would have been motivated to combine as

suggested by Ohta at column 1, lines 33-47, in order to present an invention, which provides a networked apparatus that facilitates highly convenient, content duplication management. Thus, alleviating the prior problems of meeting the users need for high usability within a network environment.

Regarding Claim 2, the combination of Satomi in view of Ohta, disclose the method wherein the reviewing further comprises using a preference corresponding with the request to determine whether the confirmation is transmitted ([0265], Satomi).

Regarding Claims 3,4, and 20, the combination of Satomi in view of Ohta, disclose the method wherein said preference is based on the type of request ([0265], [0271], [0274], Satomi).

Satomi is silent with respect to determining utilization of any duplicate or related content.

Ohta discloses determining utilization of any duplicate or related content (column 34, lines 57-64, Ohta). It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the teachings of Satomi with the teachings of Ohta to include determining utilization of any duplicate or related content with the motivation to provide a networked apparatus that facilitates highly convenient content duplication (column 1, lines 33-47, Ohta).

Regarding Claims 5 and 19, the combination of Satomi in view of Ohta, disclose the method wherein said specific content includes one from the group of content items consisting of a photograph, music, a document, and a video ([0088], Satomi).

Regarding Claims 6 and 23, the combination of Satomi in view of Ohta, disclose the method wherein the request includes one from the group of request types consisting of saving, deleting, modifying, and printing the specific content ([0091], Satomi).

Regarding Claims 7 and 21, the combination of Satomi in view of Ohta, disclose the method further comprising storing the preference in a storage device (Figs.1&2, Satomi).

Regarding Claims 8 and 22, the combination of Satomi in view of Ohta, disclose the method further comprising storing the record in a storage device (Figs.1&2, Satomi).

Regarding Claim 9, the combination of Satomi in view of Ohta, disclose the method wherein the confirmation asks the user for authorization for executing the request (column 38, lines 4-27, Ohta).

***Response to Arguments***

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

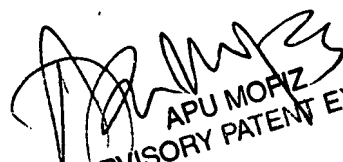
***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye  
Patent Examiner  
Technology Center 2100  
April 23, 2007

  
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SUPERVISORY PATENT EXAMINER